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ERIN ENRIGHT AND ROBERT ENRIGHT

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

ERIN ENRIGHT and ROBERT ENRIGHT,

Plaintiffs,

v.

ENCOMPASS INSURANCE COMPANY, and  
Does 1 through 60, inclusive,

Defendant.

Case No. 4:22-cv-06310-DMR

**STIPULATION AND ORDER (AS  
MODIFIED) TO EXTEND ADR  
DEADLINE 120 DAYS**

Plaintiffs Erin Enright and Robert Enright and defendant Encompass Insurance Company, by and through their respective counsel of record, stipulate and agree as follows and respectfully request entry of an order giving effect to their stipulation:

1. On January 18, 2023, the Court issued a Case Management and Pretrial Order for Jury Trial which set an Alternative Dispute Resolution deadline for June 19, 2023, or as soon thereafter as is convenient to the assigned evaluator's calendar (*see* ECF Dkt. No. 16);
2. On March 28, 2023, the parties participated in an initial pre-ENE conference call with the neutral, Jennifer Acheson and scheduled the ENE for June, 2023;

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1           3.       On May 24, 2023, the parties filed a Stipulation and Proposed Order to continue  
2 the ADR deadline by 120 days to October 17, 2023. On May 26, 2023, the Court granted the  
3 order and continued the ADR deadline to October 17, 2023 (ECF Dkt. No. 19).

4           4.       The parties actively engaged in written discovery and have exchanged and  
5 responded to discovery requests, as well as interrogatories and requests for admission, and  
6 issuing numerous document subpoenas to third parties.

7           5.       On August 31, 2023, the parties filed a Stipulation and Proposed Order to  
8 continue the ADR deadline by 90 days to January 15, 2024. On September 1, 2023, the Court  
9 granted the order and continued the ADR deadline to January 15, 2024 (ECF Dkt. No. 24).

10          6.       Since the last continuation, both parties have produced, or agreed to produce,  
11 supplemental documents and/or discovery responses in response to discovery issues. In  
12 addition, the parties are in the process of meeting and conferring on additional discovery  
13 disputes and are attempting to resolve them to avoid involving the Court and submitting to the  
14 Court's joint discovery letter process set forth in the Court's Standing Order;

15          7.       The parties have agreed that there are additional documents and information that  
16 need to be provided prior to the ENE;

17          8.       In the interests of making the ENE as fruitful as possible, they would like to  
18 substantially complete written discovery, including completion of exchanging documents and  
19 other discovery responses, and resolving any disputed discovery issues, prior to the ENE.

20          9.       The parties reached out to Ms. Acheson to reschedule the ENE. Due to various  
21 scheduling issues (including that plaintiffs' counsel has three trials scheduled for January  
22 through March), the parties and Ms. Acheson are finalizing dates for the ENE in April, 2024;

23          10.       Ms. Acheson has stated that she agreed "it is far preferable for the parties to feel  
24 that they have engaged in sufficient discovery for a meaningful ENE and, if the parties elect for  
25 mediation";

26          11.       A 120-day continuance of the ADR deadline does not impact any of the other pre-  
27 trial or trial deadlines set by the Court;

28

12. The parties agree that the interests of judicial economy, efficiency and convenience of the Court and the parties would be furthered by continuing the ADR deadline in the September 1, 2023 Order (ECF Dkt. No. 24) by 120 days, until May 14, 2024.

IT IS AGREED AND STIPULATED that:

The ADR deadline in this matter, set forth in the September 1, 2023 Order (ECF Dkt. No. 24) be continued by 120 days, until May 14, 2024. The parties respectfully request the Court to adopt the foregoing stipulation as the order of the Court.

**IT IS SO STIPULATED.**

Respectfully submitted,

ANDERLINI & MCSWEENEY LLP

Dated: January 11, 2024

By: /s/ IRA LESHIN  
IRA LESHIN

Attorneys for Plaintiffs  
ERIN ENRIGHT AND ROBERT ENRIGHT

Dated: January 11, 2024

DENTONS US LLP

By: /s/ EMILY NOZICK  
EMILY NOZICK

Attorneys for Defendant ENCOMPASS  
INSURANCE COMPANY

SIGNATURE ATTESTATION

I am the ECF User whose identification and password are being used to file this STIPULATION AND [PROPOSED] ORDER TO EXTEND ADR DEADLINE BY 120 DAYS. Pursuant to L.R. 5-1(h)(3) regarding signatures, I, Emily Nozick, attest that concurrence in the filing of this document has been obtained.

Date: January 11, 2024

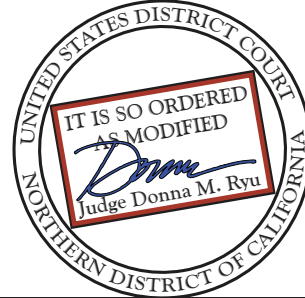
/s/ Emily Nozick  
Emily Nozick

**ORDER (AS MODIFIED)**

Pursuant to the above stipulation, the Court hereby continues the ADR deadline set forth in the Court's September 1, 2023 Order by 120 days, until May 14, 2024. No further extensions of this deadline will be granted.

**IT IS SO ORDERED AS MODIFIED.**

Dated: January 12, 2024



By \_\_\_\_\_

The Honorable Donna Ryu  
United States Chief Magistrate Judge

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